

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

2023 SEP 19 PM 3:10  
OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KRISTIN M. UHING,

Defendant.

8:23CR195

INDICTMENT

18 U.S.C. § 1344  
18 U.S.C. § 982(a)(2)(A)  
28 U.S.C. § 2461(c)

The Grand Jury charges that

**INTRODUCTION AND BACKGROUND**

At all times material to this Indictment:

1. Victim 1 and Victim 2, husband and wife (the “Victims”), whose names are known to the Grand Jury, resided at a rural location in Nebraska.
2. The Victims maintained trust, checking and money market accounts (the “Victim Accounts”) at First National Bank of Omaha (“FNBO”). The Victim Accounts were all solely in the names of the Victims, and they were the only signatories on and authorized users of the Victim Accounts.
3. FNBO’s principal place of business was in Omaha, Nebraska, and it was insured by the Federal Deposit Insurance Corporation.
4. Defendant KRISTIN M. UHING (“Defendant”) is related to the Victims by marriage. She resided with her husband at the same rural location as the Victims but in a different house.
5. Defendant had no legal authority concerning the Victims or their finances and did not manage their affairs. Defendant was not a signatory on or an authorized user of any of the

Victim Accounts.

6. Defendant was a signatory on and an authorized user of other checking and savings accounts at FNBO in the names of Defendant, her husband and sons (“Defendant’s Accounts”).

**THE SCHEME TO DEFRAUD**

7. Beginning at an unknown date, but at least as early as in or about 2015, and continuing through in or about July 2021, Defendant knowingly executed and attempted to execute a scheme and artifice to defraud and to obtain money, funds, credits and other property under the custody and control of FNBO (the “Scheme”), by means of material false and fraudulent pretenses.

8. It was part of the Scheme that Defendant obtained online access to the Victim Accounts through FNBO’s web-based platform using account and personal information of the Victims, without the knowledge or authorization of the Victims.

9. It was further part of the Scheme that Defendant initiated unauthorized transfers by phone and online from the Victim Accounts to Defendant’s Accounts, without the knowledge or authorization of the Victims.

10. It was further part of the Scheme that, for certain months when Defendant conducted unauthorized transactions on the Victim Accounts, Defendant altered the paper statements for those accounts to conceal the unauthorized transactions she had conducted.

11. It was further part of the Scheme that, using FNBO’s web-based platform, Defendant changed the settings on certain of the Victim Accounts, resulting in periodic statements for those accounts not being mailed to the Victims. The Victims did not authorize Defendant to change the account settings in this manner.

12. It was further part of the Scheme that, after Defendant transferred funds from the Victim Accounts to Defendant's Accounts, Defendant used the funds to pay Defendant's personal expenses.

13. As a result of the Scheme, Defendant fraudulently caused FNBO to transfer approximately \$204,408.34 from the Victim Accounts to Defendant's Accounts.

#### **COUNTS I THROUGH IV**

14. Paragraphs 1-13 of this Indictment are incorporated herein.

15. On or about the dates listed below, in the District of Nebraska, Defendant KRISTIN M. UHING knowingly executed and attempted to execute a scheme and artifice to obtain money and funds under the custody and control of a financial institution, that is, FNBO, whose accounts were and are insured by the Federal Deposit Insurance Corporation, by means of material false and fraudulent pretenses, by causing funds to be transferred without authorization from the Victim Accounts at FNBO to Defendant's Accounts.

Count	Date of Transaction	Type of Transaction	Amount
I	October 10, 2018	Online Transfer of Funds from Account xx6063 to xx9445, both at FNBO	\$400.00
II	October 9, 2019	Online Transfer of Funds from Account xx6063 to xx9445, both at FNBO	\$500.00
III	October 14, 2020	Online Transfer of Funds from Account xx6063 to xx9445, both at FNBO	\$750.00
IV	July 15, 2021	Online Transfer of Funds from Account xx6063 to xx9445, both at FNBO	\$600.00

All in violation of Title 18, United States Code, Section 1344.

#### **CRIMINAL FORFEITURE ALLEGATIONS**

1. The allegations contained in Counts I through IV of this Indictment are hereby

realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2)(A).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1344 set forth in Counts I through IV of this Indictment, the defendant, KRISTIN M. UHING, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violations. The property to be forfeited includes, but is not limited to, the following: approximately \$204,408.34, representing property constituting or derived from proceeds Defendant obtained directly or indirectly as the result of the scheme and violations set forth in Counts I through IV.

3. If, as a result of any act or omission of Defendant KRISTIN M. UHING, the property identified above:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).


All pursuant to 18 U.S.C. § 982(a)(2)(A) and 28 U.S.C. § 2461(c).

A TRUE BILL.

~~FOREPERSON~~

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

By:

  
JOHN E. HIGGINS, #19546  
Assistant U.S. Attorney